

Notice of Allowability

Application No.

09/498,369

Examiner

Thomas A. Dixon

Applicant(s)

SHEAR ET AL.

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3639

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/4/05.
2. ☒ The allowed claim(s) is/are 151-155 and 186-195.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 11/18/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Terminal Disclaimer

1. The Terminal Disclaimer filed on 11/04/05 relating to Application No. 6,112,181 is acceptable.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 11/18/2005 has been considered by the examiner.

Allowable Subject Matter

3. Claims 151-155, 186-195 are allowed.
4. The following is an examiner's statement of reasons for allowance:

As per Claim 151.

The prior art of record, specifically Benson (5,845,281), Erikson (5,765,152) and Secure Software Distribution by Rosenblit do not disclose or fairly teach:

creating a secure container;

associating a first rule with the secure container, the first rule at least in part governing use of at least some of the secure container contents, the first rule at least in part specifying potential users or recipients of the secure container contents, the specifying being based at least in part on a first class to which the potential users or recipients have been assigned;

receiving a request for a content object from a potential user or recipient, the request specifying a desired class of rights management information;

determining, based at least in part on the digital certificate, that the potential user or recipient has been assigned to the first class; and based on the determination, and at least in part under control of the first rule, making at least some of the secure contents available to the potential user or recipient.

As per Claim 191.

The prior art of record, specifically Benson (5,845,281), Erikson (5,765,152) and Secure Software Distribution by Rosenblit do not disclose or fairly teach:

creating a secure container;

assigning a potential user or recipient to a class, the assignment being based at least in part on information regarding the potential user or recipient's previous use of content;

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associating a first rule with the secure container, the rule at least in part governing use of at least some contents of the secure container, the first rule at least in part specifying potential users or recipients of the secure container contents, the specifying being based at least in part on the class to which the potential users or recipients have been assigned;

evaluating a digital certificate associated with the potential user or recipient;

determining, based at least in part on the digital certificate, that the potential user or recipient has been assigned to the class; and based on the determination, and at least in part under control of the first rule, making at least some of the secure container contents available to the potential user or recipient.

The claims that depend from the above allowed claims are allowed for the same reasons.

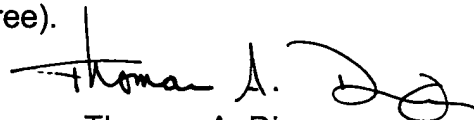
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (571) 272-6803. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Thomas A. Dixon", followed by a stylized flourish.

Thomas A. Dixon
Primary Examiner
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January 06